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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,484	01/07/2002	Josip Perkovic	31843-177338	3555

26694 7590 07/30/2004

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EXAMINER

MADSEN, ROBERT A

ART UNIT	PAPER NUMBER
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1761

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. The amendment filed on May 3, 2004 canceling the claims drawn to an invention constructively elected by original presentation (i.e. a water permeable container *filled* with an aroma carrier) and presenting only claims drawn to a non-elected invention (i.e. an *empty* water permeable container) is non-responsive (MPEP § 821.03). The remaining claims are not readable on the invention constructively elected by original presentation because the originally presented claims *required* a content (i.e. a pre-measured portion of an aroma carrier). The currently pending claims are drawn to an *empty* water permeable container, and as such the claims do not commensurate in scope with the scope of the originally presented claims.
2. Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Madsen whose telephone number is (571) 272-1402. The examiner can normally be reached on 7:00AM-3:30PM M-F.
4. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on (571) 272-1398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert Madsen
Examiner
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